

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 245 be amended to read as follows:

- 1 Page 5, line 36, delete "stand alone telephone" and insert "**telephone**
- 2 **exchange service (as defined in 47 U.S.C. 153(47)) that is provided**
- 3 **to a customer through the customer's primary line.**
- 4 **(b) The term includes, at a minimum, the following:**
- 5 **(1) Voice grade access to the public switched telephone**
- 6 **network with minimum bandwidth of three hundred (300) to**
- 7 **three thousand (3,000) hertz.**
- 8 **(2) Dual tone multifrequency signaling and single party**
- 9 **service.**
- 10 **(3) Unlimited local calling within the same local service area**
- 11 **(as defined in 170 IAC 7-1.2-2(25)) available to a similarly**
- 12 **situated customer on January 1, 2006.**
- 13 **(4) Access to:**
- 14 **(A) emergency services, including access to 911 and**
- 15 **enhanced 911 if provided by the local government having**
- 16 **jurisdiction in the service area;**
- 17 **(B) operator services;**
- 18 **(C) local directory assistance;**
- 19 **(D) telephone relay services; and**
- 20 **(E) interexchange service.**
- 21 **(5) Toll limitation services for qualifying low income**
- 22 **customers.**
- 23 **(c) The term does not include the following:**
- 24 **(1) A functionally equivalent service provided by a person or**
- 25 **an entity described in IC 8-1-2-1.1.**

(2) A monthly rate structure for local exchange telephone service based on usage.

(d) A service described in this section is a basic telecommunications service regardless of whether the service is purchased by the customer:

(1) in conjunction with another service, including a nonbasic telecommunications service;

(2) as part of:

(A) a package or bundle of services;

(B) a promotion; or

(C) a contract; or

(3) at a discounted price."

Page 5, delete lines 37 through 42.

Page 6, delete lines 1 through 20.

Page 6, line 31, delete "service, except when the service" and insert "service;"

Page 6, delete lines 32 through 36.

Page 9, line 11, delete "As used in this section," and insert "A provider that offers basic telecommunications service in Indiana:

(1) must offer a flat monthly rate with unlimited local calling for basic telecommunications service in each local exchange area in Indiana in which the provider offers basic telecommunications service; and

(2) may not, in any local exchange area in Indiana in which the provider offers basic telecommunications service, offer any service plan for basic telecommunications service that includes measured local service.

(b) A provider that offers basic telecommunications service in Indiana may not impose a flat monthly rate for basic telecommunications service offered in one (1) or more local exchange areas in Indiana that exceeds:

(1) the flat monthly rate imposed by the provider for basic telecommunications in the local exchange area on March 27, 2006; or

(2) the initial rate approved by the commission in the case of a provider that did not provide basic telecommunications service in a particular local exchange area on March 27, 2006.

Page 9, delete lines 12 through 42.

Delete pages 10 through 12.

Page 13, delete lines 1 through 13.

Page 13, line 17, after "sections" insert "1.3,"

Page 20, line 12, delete "following both during" and insert "following,"

Page 20, delete line 13.

Page 20, line 14, delete "chapter,"

Page 22, line 40, after "to" insert "nonbasic telecommunications

- 1 **service offered by".**
- 2 Page 24, line 2, after "of the" insert "**commission; or**".
- 3 Page 24, delete lines 3 through 4.
- 4 Page 24, line 12, delete "IC 8-1-17-22.5 at any time during the" and
- 5 insert "**IC 8-1-17-22.5**".
- 6 Page 24, delete line 13.
- 7 Page 91, line 24, after "in" insert "**IC 8-1-2.6-1.3**".
- 8 Page 91, line 24, delete "as added by this act,".
- 9 Page 91, line 25, after "IC 8-1-2.6-13(d)," insert "**each**".
- 10 Renumber all SECTIONS consecutively.
(Reference is to ESB 245 as printed February 22, 2006.)

Representative Pierce